

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CECELIA LINARES, on behalf of herself
and all other similarly situated California
residents,

vs.

Plaintiff,

COSTCO WHOLESALE, INC., a
Washington corporation,

Defendant.

CASE NO. 11-cv-2547-MMA (RBB)

**ORDER AFFIRMING TENTATIVE
RULING AND GRANTING IN
PART AND DENYING IN PART
DEFENDANT'S MOTION TO
DISMISS**

[Doc. No. 8]

Currently pending before the Court is Defendant Costco Wholesale, Inc.'s motion to dismiss Plaintiff Cecelia Linares' complaint pursuant to Federal Rules of Civil Procedure 8(a), 9(b), 12(b)(1) and 12(b)(6). [Doc. No. 8.] Upon due consideration of the parties' submissions and the oral argument of counsel, the Court **AFFIRMS** its tentative ruling [Doc. No. 24] and **GRANTS IN PART** and **DENIES IN PART** Defendant's motion to dismiss. As such, Plaintiff's claims relating to Glucosamine with MSM and advertisements she did not personally view are **DISMISSED with prejudice**. The Court **GRANTS** Plaintiff **thirty days** to amend the complaint.

IT IS SO ORDERED.

DATED: March 26, 2012



Hon. Michael M. Anello
United States District Judge